



Ihe *DAC*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: *Lees et al.*

Group No.: 3721

Serial No.: 10/787,032

Examiner: Not yet assigned

Filed: February 25, 2004

I hereby certify that this paper is being transmitted by First Class Mail to: United States Patent and Trademark Office, Alexandria, VA 22313-1450 on this date:

For: DIRECT INJECTION
MOLDED CLOSURE AND
METHOD THEREFOR

10/05/2004

Date

Signature

Attorney

Docket No: TRX-0628 CON01
(4346/91547)

PETITION TO CORRECT FILING RECEIPT - PETITION TO CORRECT FILING

10/13/2004 HALI11 00000017 10787032

DATE

01 FC:1460

130.00 OP

Commissioner for Patents
Mail Stop DAC
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

Petitioner hereby petitions to correct the filing date in the above-identified application. The filing date granted is February 24, 2004. The actual filing date is February 25, 2004. The present Petition requests that this change be made.

The undersigned hereby submits that the application was, in fact deposited with the US Postal Service, as Express Mail, on February 25, 2004. A copy of the returned postcard, check, executed transmittals and certificate of express mail all bearing the date of February 25, 2004 is enclosed. It is only the USPS Express Mail receipt that shows the date of February 24, 2004. Applicant believes that the Express Mail receipt is incorrect and requests correction accordingly.

Serial No. 10/787,032
October 5, 2004

Based on the above, your Petitioner respectfully requests that the Patent Office issue a corrected filing receipt indicating the filing date of February 25, 2004.

A check in the amount of \$130.00 is enclosed for the fee associated with the present petition.

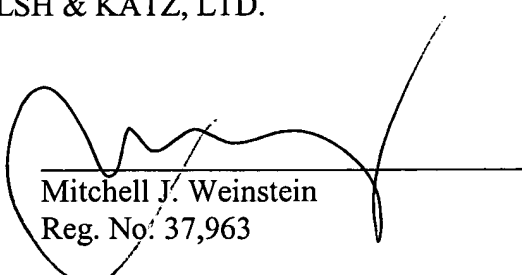
Should there be any questions or concerns, it is respectfully requested that the undersigned be contacted. If any further fees are due, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 23-0920. If any further petitions are due, it is respectfully requested that that the present paper constitute such petition.

Should there be any questions or concerns, please do not hesitate to contact the undersigned.

Respectfully submitted,

WELSH & KATZ, LTD.

By:



Mitchell J. Weinstein
Reg. No. 37,963

October 5, 2004
WELSH & KATZ, LTD.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606
(312) 655-1500

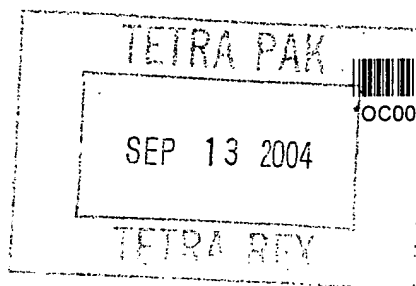


UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/787,032	02/24/2004	John Lees	TRX-0628 CON-01 (4346/915)

US Intellectual Property Department
 Tetra Park, Inc.
 101 Corporate Woods Parkway
 Vernon Hills, IL 60089



CONFIRMATION NO. 3902



Date Mailed: 09/07/2004

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Application Filing Date

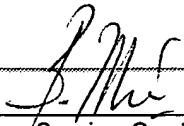
In response to your request for a corrected Filing Receipt, the Office cannot comply with your request because:

- ☒ If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, a petition to accord a filing date should be submitted along with a copy of the Express Mail label showing the "date in" and be directed to the Office of Petitions.
- ☐ A copy of the Express Mail label was not enclosed with your request. Petitions under 37 CFR 1.10 require a copy of the Express Mail Label to be submitted.
- ☐ The "date in" on the Express Mail label is the date given on the Filing Receipt.
- ☐ The filing date accorded to the application is the date the application met the filing date requirements of 37 CFR 1.53(b) or (c).
- ☐ Applications submitted with a certificate of mailing under 37 CFR 1.8 are accorded a filing date as of the date the application is received in the U.S. Patent and Trademark Office. A request to review the filing date accorded to the application must be in the form of a petition.
- ☐ The filing date on your return postcard is the same as the date on your Filing Receipt. A request to review the filing date accorded to the application must be in the form of a petition.

A petition under 37 CFR 1.10, 37 CFR 1.53 or 37 CFR 1.182 is needed to request a change to the filing date. A \$130 petition fee is required for a petition under 1.53 or 1.182. If you choose to file a petition, the petition and the \$130 petition fee, if any, to:

Box DAC

Washington, DC 20231

A handwritten signature in black ink, appearing to be 'J. M. S.', is written over a horizontal line.

Customer/Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Applicant(s) : Lees et al.
Title: DIRECT INJECTION MOLDED CLOSURE
AND METHOD THEREFOR
Continuation of U.S. Patent Application Serial No. 10/124,968;

MJW/clf
File No. TRX-0628 (4346/86935)

February 25, 2004

Enclosed: Transmittal Form (in duplicate); Fee Transmittal (in duplicate); Amendment Transmittal form (in duplicate); Preliminary Amendment (6 pgs); Declaration & Power of Attorney (4 pages); Application Data Sheet (8 pages); Drawing Change Request as Originally Filed (2 pages); 2 Corrected Sheets of Drawings as Originally Filed; 25-Page Specification as Originally Filed having 9 Claims (after amendment) and 1 page of Abstract; 9 Sheets of Informal Drawings; Check No. 85907 in the amount of \$770.00; Return Postcard; Certificate of Mailing No. EV 337104599 US dated February 25, 2004.

Mail Stop: Patent Application
Commissioner for Patents

Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt hereto and mailing this card.

22278 U.S. PTO
10/787032



022404

Respectfully,

Welsh & Katz, Ltd.

WELSH & KATZ, LTD.
 150 SOUTH ST. 10TH FLOOR
 CHICAGO, ILL. 60601
 (312) 655-1000
 FACHSBERG HUNDRED SEVENTEEN AND FOURTH ST.
 CHICAGO, ILL. 60601
 (312) 655-1000
 COMMISSIONER OF PATENTS
 AND TRADEMARKS
 WASHINGTON, D.C. 20590
 02-25-2004
 022504-5
 165366
 434691547 - df
 770.00
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WELSH & KATZ, LTD.

CHECK DATE: 02-25-2004		CHECK NO. 85907	
DATE	INVOICE	VOUCHER	DESCRIPTION
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			770.00
VENDOR: COMMISSIONER OF PATENTS			REF #
			TOTAL
			\$770.00



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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

TRX-0628 Con 01 (4346/91547)

First Inventor

Lees et al.

Title

Direct Injection Molded Closure and Method Therefor

Express Mail Label

EV 337104599 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria VA 22313-1450

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
- ☐ Applicant claims small entity status.
See 37 CFR 1.27.

3. ☒ Specification (Total Pages 25)
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) (Total Sheets 9)

5. Oath or Declaration (Total Pages 1)

- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/124,698

Prior application information: Examiner Timothy W. Helthrink

Group / Art Unit: 1722

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS



Customer Number:

or ☒ Correspondence address below

Name	U.S. Intellectual Property Department				
	Tetra Pak, Inc.				
Address	101 Corporate Woods Parkway				
City	Vernon Hills	State	IL	Zip Code	60089
Country	US	Telephone	(312) 655-1500	Fax	(312) 655-1501

Name (Print/Type) Mitchell J. Weinstein, Esq.Registration No. (Attorney/Agent) 37,963

Signature

Date 02/25/2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OCT 12 2003

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0851-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** \$770.00**Complete if Known**

Application Number	Not yet assigned
Filing Date	Herewith
First Named Inventor	Lees et al.
Examiner Name	Not yet assigned
Art Unit	Not yet assigned
Attorney Docket No.	TRX-0628 Con 01 (4346/91547)

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

Deposit Account Number: 23-0920

Deposit Account Name: Welsh & Katz, Ltd.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) \$770.00

2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims		Fee from below		Fee Paid
Total Claims	-20** =		X	
9	-20** =	0	X	18.00 = 0.00
Independent Claims	-3** =	0	X	0.00
Multiple Dependent				

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)				

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non - English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**SUBMITTED BY**

Name (Print/Type) Mitchell J. Weinstein, Esq.

Registration No. (Attorney/Agent)

37,963

Complete (if applicable)

Telephone

(312) 655-1500

Signature

Date

02/25/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

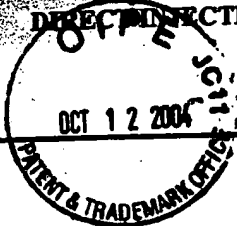
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AMENDMENT TRANSMITTAL LETTER (Large Entity)

Docket No.
TRX-0628 Con 01 (4346/91547)

Serial No. Not yet assigned	Filing Date Herewith	Examiner Not yet assigned	Group Art Unit Not yet assigned
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Invention: DIRECT INJECTION MOLDED CLOSURE AND METHOD THEREFOR



TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	9 -	20 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0 x	\$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-0920
 - ☒ Any additional filing fees required under 37 C.F.R. 1.16.
 - ☒ Any patent application processing fees under 37 CFR 1.17.

Signature

Dated: 02/25/2004

Mitchell J. Weinstein, Esq.
Reg. No. 37,963

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Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:



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EV337104599US

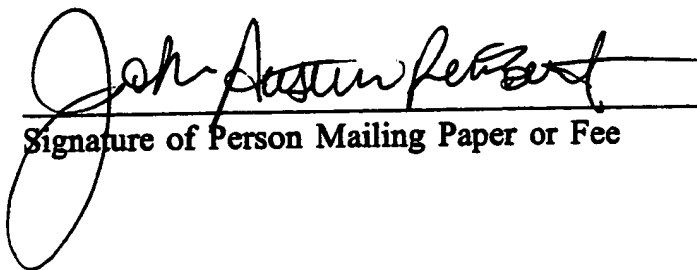
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Date of Deposit: February 25, 2004

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John Rembert

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